

Plaintiff's original complaint, which included allegations of Eighth Amendment violations, was dismissed with leave to amend, as recommended by the magistrate judge. An amended complaint was filed but this complaint was also fatally flawed. The magistrate judge recommended dismissal of the amended complaint except that portion of the amended complaint that attempted to allege a retaliation claim. That claim was dismissed without prejudice to file another amended complaint setting forth a well-pleaded, viable retaliation claim. On July 8, 2010, Ransome filed a document styled "Claim of Official Retaliation" which was

construed as a second amended complaint. (Doc. 76.) Thus, the only issue addressed in the October 1, 2010, report and recommendation and the issue addressed in the court's order dated November 10, 2010, was a retaliation claim.

An "amended complaint must be complete in all respects. It must be a new pleading which stands by itself as an adequate complaint without reference to the complaint already filed." *Young v. Keohane*, 809 F. Supp. 1185, 1198 (M.D. Pa. 1992). Therefore, Plaintiff cannot now seek to raise issues in a dismissed complaint that were not subsequently raised in an amended complaint.

An appropriate order will be issued.

s/Sylvia H. Rambo
United States District Judge

Dated: December 2, 2010.

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